

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

VALERIE ANN CARL,

Plaintiff,

v.

Case No. 6:19-cv-1027-Orl-37EJK

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

In this social security appeal, Plaintiff seeks review of the Commissioner of Social Security's ("**Commissioner**") decision to deny her disability benefits. (Doc. 1.) Plaintiff argues the Administrative Law Judge ("**ALJ**") erred by posing a hypothetical question to the vocational expert that did not adequately reflect Plaintiff's limitations. (Doc. 27, pp. 9-11.) On referral, U.S. Magistrate Judge Embry J. Kidd recommends affirming the Commissioner's decision, finding the ALJ's hypothetical question included all Plaintiff's limitations, even adding a limitation not in the residual functional capacity determination (working in Plaintiff's favor) and if the ALJ did err, it was harmless. (Doc. 28 ("**R&R**").)

No party objected to the R&R, and the time for doing so has now passed. Absent objections, the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan. 28, 2016); *see also Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding no such error, the Court adopts the R&R in its entirety.

It is **ORDERED AND ADJUDGED**:

1. U.S. Magistrate Judge Embry J. Kidd's Report and Recommendation (Doc. 28) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. The Commissioner's final decision is **AFFIRMED**.
3. The Clerk is **DIRECTED** to enter judgment in favor of Defendant Commissioner of Social Security and against Plaintiff Valerie Ann Carl and to close this case.

DONE AND ORDERED in Chambers in Orlando, Florida, on August 3, 2020.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record